

**MINUTES OF THE  
MARICOPA ASSOCIATION OF GOVERNMENTS  
REGIONAL GOVERNANCE TASK FORCE MEETING**

July 26, 2001  
MAG Office, Saguaro Room  
Phoenix, Arizona

**MEMBERS ATTENDING**

Mayor Skip Rimsza, Phoenix, Chairman	Mayor Keno Hawker, Mesa
Mayor Ron Drake, Avondale	Tom Martinsen, Paradise Valley
Mayor Roy Delgado, El Mirage	Mayor Wendy Feldman-Kerr, Queen Creek
* Ed Beasley, Glendale	* Jan Dolan, Scottsdale
Stephen Cleveland, Goodyear	* Bill Pupo, Surprise
Mayor J. Woodfin Thomas, Litchfield Park	

\*Not present.

1. **Call to Order**

The meeting of the Regional Governance Task Force was called to order by Acting Chair Wendy Feldman-Kerr at 11:45 a.m.

2. **Approval of July 5 and July 9, 2001 Meeting Minutes**

Acting Chair Feldman-Kerr asked for a motion to approve the July 5 and July 9, 2001 meeting minutes. Mayor Woody Thomas moved, Mayor Roy Delgado seconded, and the motion carried unanimously.

3. **Direction for the Regional Governance Advisory Committee**

John Parr stated that a preliminary list of specific items for input from the Advisory Committee to further define the role of the Advisory Committee had been prepared by staff for review by the Task Force.

Mr. Parr stated that the discussion of the Roles and Responsibilities of MAG would include examination of current roles of MAG and additional possible responsibilities. This would include the appropriate role in land use planning and in public facility planning in areas where MAG does not currently have a responsibility. It would also include a recommendation for the role of MAG in transit planning.

Mayor Keno Hawker commented on the land use incompatibility problems cities encounter when they absorb County lands. He suggested adding MAG jurisdiction over land use on County lands so when cities expand to include these County lands, there is compatibility. Mayor Hawker stated that the Governor's Transportation Vision 21 Task Force has indicated that they feel that land use planning

and transportation planning are interconnected. Mr. Parr noted that there are many organizations around the country that provide planning in both areas.

Mayor Thomas commented that the concern for decreased identification with geographical interests could result under the authority of the Board of Supervisors. Mayor Ron Drake expressed his concern for MAG being involved in land use planning in his city. Mr. Parr clarified that MAG would provide land use planning for County lands only. Mr. Bourey stated that he has the impression from member agency staff of a strong interest in focusing on transportation issues, with air quality and land use planning components. Mayor Hawker stated that a flow chart showing how components interact could be drafted.

Mr. Parr stated that discussion of the Geographic Extent of the Region would include examination of MAG's current boundaries and possible extensions to the boundary. This would include a look at the functions that have implications for the region such as transportation, air quality and land use planning. Mr. Parr stated that this examination would look at the growth of the region and the interconnectedness of the various parts and the implication of federal programs for the boundary and the timing of any expansion.

Mayor Thomas commented on MAG allocating funding being made available if the boundaries are extended into Pinal County. He indicated that was unsure if financing should be a part of that process.

Mayor Delgado commented on whether expanding into Pinal County to bring them into the process should be done on a limited basis. He commented on the potentiality of MAG becoming too large.

Mayor Hawker stated that air quality does not stop at the County line. Mayor Thomas commented that roadway conditions impact those traveling from one region to the next region. Mr. Parr commented that financial and fiscal impacts need to be studied. Mayor Delgado stated that air quality problems need to be addressed.

Mr. Parr stated that Appropriate Membership discussion would include study of the most appropriate types of members, from local government, other public sector possible members such as the state legislature, governor's office, school boards and others. It would also include private sector groups such as chambers of commerce and economic development agencies.

Mayor Thomas commented that a concern is the process of their membership. How does MAG get them to be members? How are they appointed? Acting Chair Feldman-Kerr expressed concern for non-elected officials serving on the Regional Council; however, others may need to be represented, perhaps a Town Hall-type of meeting could be established. The research developed during these meetings could be used in decision-making by the Regional Council. Bill Pupo stated his concurrence with Mayor Feldman-Kerr's suggestion. He stated that the mayors have been elected by their communities, as opposed to representatives from special interest groups. Mr. Pupo expressed giving serious consideration to forming an advisory group.

Mr. Cleveland commented on how they are selected. He referred to the supporting material for agenda #5. Mr. Cleveland stated that other factors to be considered are composition of groups and their roles in final decisions. He commented that the reason MAG is studying broadening participation is to gain support from the outside. Mr. Cleveland stated that the following questions need to be answered: What

level of composition is necessary to gain their respect? Why is MAG not given respect and what does it take to get it?

Mr. Parr clarified that the group wanted to find other ways to get input and support. Mayor Hawker suggested a two-tiered approach. One tier would be composed of elected officials and would obligate funding. Mayor Hawker suggested adding the State House and Senate Chairs to this group. The second tier would be composed of business, environmental, or similar groups that would provide advice to the decision making body.

Mr. Parr stated that discussion of the Organizational Structure would include exploration of the best organizational structure. Alternatives to be examined would include the full range of organizational structures that exist in other locations. He noted that this would include the number of members and the representation from each of the members, including proportional representation and the potential use of an executive group smaller than the entire governing body.

Mayor Hawker stated that establishing Congress took a lot of discussion at the national scale. He commented on how to spin that into a MAG situation. Mayor Hawker commented on the difficulty that could be encountered to resolve this.

Mr. Parr asked if the sequencing was correct for addressing the six points. Mr. Pupo commented on the Geographic Extent of the Region. He suggested keeping the model simple by meeting on a bi-monthly or quarterly basis with representatives from other counties so joint planning could be done and governmental cooperation developed.

Mr. Parr reviewed the examination of the voting structure of the organization as well as the authority for making decisions. It would include recommendations on the level of authority that would be granted to an executive group or various committees within the organization. Also, this examination encompasses weighted voting.

Acting Chair Feldman-Kerr stated that if other questions are explored first, voting may not be an issue. If other groups serve in advisory capacity, MAG's current voting structure would be retained. Mayor Feldman-Kerr stated that with a Town Hall-type structure, others could actively participate. She indicated that most of the work is done at levels below Regional Council. Chairman Rimsza joined the meeting.

Mr. Cleveland stated that the quandary is more often than not that councils are micro managing administration. Are these projects really achieving the intended quality of life? They need to be held up to performance standard. What are the subjects being dealt with, are they policy questions or administrative matters? How do you weigh that out? What is the policy implication? Is it because we want to limit what an individual community can spend? Organizationally, where is the input coming from, do they feed through the Management Committee or not? One question that needs to be addressed in this process is how does the body gain the most visibility and strength if reporting through the Management Committee or Regional Council?

Mr. Parr asked if voting should be dealt with somewhere else or be considered separately. Mayor Thomas stated that Organizational/Voting structures could be discussed separately, but would eventually need to come together to be worked out. Mr. Parr asked how many filters would there be

between the ultimate decision makers? Mayor Feldman-Kerr stated that if an advisory board is created, it shouldn't be filtered at all and would need to report the Regional Council directly.

Mr. Pupo stated that the MAG committee structure, modal committees, etc. need to be examined. He indicated that more knowledge of the committee process is needed. Mr. Bourey explained that almost all issues considered by the Regional Council go through Management Committee first. The Management Committee makes recommendations to the Regional Council, although an item does not have to be approved by the Management Committee before going to the Regional Council. Mr. Bourey indicated that the Regional Council Chair sets the agenda and may decide the issue should be worked out with the Management Committee first, before going on to the Regional Council.

Mr. Parr stated that the appropriate name for the organization given the recommended changes will be examined. This will take into consideration the roles and responsibilities, membership and geographic extent of the region.

Mayor Feldman-Kerr stated that if an advisory committee is formed and no extra voting seats are added to the Regional Council, would a name change be needed? If others are at the table, then perhaps a name change may need to be considered. Mr. Cleveland stated that a name change may be needed, especially if the geographic boundaries were exceeded. Mr. Pupo asked the mechanism that would be used if the boundaries were extended. Mr. Bourey stated that Queen Creek is a voting member of both CAAG and MAG, which are voluntary associations. This means that membership can be added voluntarily and agencies can join voluntarily. Mayor Feldman-Kerr stated that membership usually has to do with the fact that you have population in that area. Mr. Bourey explained that the Governor designated MAG as the Metropolitan Planning Organization for this region in 1973. He explained that it was not the State Legislature that established regional planning agencies.

Mayor Hawker stated that a starting point for discussion on a new name for MAG could be the several names that had already been suggested. Chairman Rimsza stated that a number of names had been considered. He indicated his preference for Metropolitan Leadership Council. Even though not all are metropolitan communities, their representatives serve in this metropolitan area. Chairman Rimsza commented that if members are not added, then a name change would not be needed. Mayor Delgado suggested "Greater Metro." Chairman Rimsza stated that when you serve at MAG, you are working to improve air quality, transportation, human services in the metropolitan area. Mayor Thomas stated that rural areas are impacted even though they are not in the metropolitan area.

Mr. Parr stated that copies of the meeting schedule were at each place. Mayor Thomas stated that luncheon meetings work best with the schedules of those who have additional work commitments. Mayor Wendy Feldman-Kerr stated that the Thursday, September 27th meeting falls on Yom Kippur. All agreed that holding the meetings at 11:30 was preferred. Mr. Parr asked if the meetings could be scheduled for 2 hour duration. Mayor Drake indicated that he would try to accommodate longer meetings. Chairman Rimsza commented on working toward limiting the meetings to 1½ hours.

#### 4. Review of Governance Organizational Approaches

Mr. Parr stated that at the last Governance Task Force meeting, staff reviewed a survey of 16 councils of governments that compared membership, member participation and governing structure of the

organizations. Mr. Parr stated that he would review the different approaches used in these organizations, such as: (1) proportional representation; (2) weighted voting; (3) use of a general assembly; (4) executive board responsibilities and (5) review of the public input process. Mr. Parr recommended that agenda item #5, Review of Possible TEA-21 Related Enhancements to the MAG Structure, be tabled for a future meeting when the MAG structure is discussed.

Mr. Parr asked for discussion on two things on each of the five issues: What would be the benefits or the negatives/burdens to your city? What would be the benefits or the negatives/burdens to the region? Mayor Thomas asked for clarification of proportional and weighted voting. Mr. Parr explained that with proportional voting, there are more council members at the table relative to the population of their agency. He gave as an example the structures of the House and the Senate. Mr. Parr stated that with weighted voting, each jurisdiction has one representative. When a weighted vote is called for, the weighted vote is based on population. Mr. Parr asked committee members what would be the benefits of proportional voting to their cities?

Mayor Hawker stated a positive would be that each dollar contributed would equal dollars back. Dollars spent would equate to proportional population. There is a responsibility to voters to represent all of them. Larger cities can be at issue with smaller cities having the same number of votes as they do.

Chairman Rimsza stated that a positive of proportional voting would stop the ability of small cities to advance or block a vote. Mr. Bourey noted that under a simple majority vote, cities representing 10 percent of population could decide the issue.

Mr. Parr asked what would be the negative side? Chairman Rimsza noted the perception that big cities have too much control. This could possibly create disenfranchisement among smaller cities. Chairman Rimsza stated that this perception could be present even if a vote were unanimous, because the feeling could be that a dissenting vote would not have made a difference anyway.

Mayor Delgado stated that MAG may need to add too many people for a big city to attain appropriate representation. Mr. Martinsen commented that smaller communities could wonder why they should even participate in process. Mayor Feldman-Kerr stated participation gives a smaller community the feeling of involvement in the region.

Mr. Parr asked if weighted voting provides this feeling of involvement. Chairman Rimsza stated that the reason that weighted voting works is that the capability to use it is there. It is not used because the cities work out their issues. The beauty of the system is that smaller communities are engaged and enjoy participation, while at the same time there is a semi-weighted voting structure. Chairman Rimsza indicated that some fine-tuning may be appropriate. He expressed concern that any change like this could create a level of disruption that is not wanted as sales tax vote approaches.

Mayor Thomas stated that smaller cities find comfort with weighted voting. Both a majority of members and population are needed to pass a vote, which serves as a safety valve. Mayor Feldman-Kerr stated that smaller communities enjoy participation because they are also involved at committee level and have additional opportunities for input.

Mr. Parr asked if anyone had any specific refinements to voting. Mayor Feldman-Kerr stated that if weighted voting was used frequently, the process might need re-examination. She commented that MAG is able to work through issues without using weighted voting. Mayor Feldman-Kerr stated that if representation is brought in from other groups, then a re-examination may be warranted. Until the examination of the structure is finalized, there may be no need to examine voting.

Mr. Parr explained that the Puget Sound Regional Council (PSRC) in Seattle has approximately 150 member agencies. Once a year there is an assembly where they approve the annual budget, work plan, and strategy. Mr. Parr stated that the PSRC has a 20 member proportional elected body who meet throughout the year. Mr. Parr stated that a General Assembly is a body of elected officials who serve on a decision making body.

Mr. Martinsen commented that this could be a viable alternative if MAG evolves into a large body. Mayor Feldman-Kerr stated that this approach is consistent with a Town Hall. All members could meet once a year for discussion in a retreat-type setting. Their input would be provided to the Regional Council. Mayor Feldman-Kerr stated that this could increase involvement.

Mayor Thomas commented on difficulties that may be encountered to get a broad spectrum of participation. He indicated that city councilmembers could also attend. Mayor Thomas commented on opening the process to other citizens who speak on their own agendas, which could impede progress. Mayor Thomas mentioned that he was unsure that members would want to attend only once a year.

Mayor Feldman-Kerr stated that attendees would be people who would be invited, and would continue to participate in other ways throughout the year.

Mr. Cleveland stated that discussion here is central to why MAG's own organizations don't know what's going on at MAG. What better way to engage them, show them the linkages and importance of being on an advisory committee? How do we do a better job of communicating to them?

Mr. Parr asked about Executive Board Responsibilities. Mr. Bourey stated that one issue raised has been that with a body of 30 people it is hard for some to see the accountability for a group that large. Whom do you go to when certain decisions are being made? The Advisory Committee has indicated that a smaller group with accountability and more visibility may be needed. Mr. Bourey stated that the role of the Executive Committee has expanded lately.

Mr. Cleveland stated that one question is whether the Executive Committee's role needs to be put on table for discussion by the Regional Council. The evolution could be shown and their role affirmed. Mr. Bourey stated that this issue was touched on at the retreat in January, although not discussed in depth.

Mr. Parr stated that Public Input Process would be reviewed by Jason Stephens. Mr. Stephens stated that further questions had been asked of the 16 agencies surveyed for the comparative analysis report given at the last Task Force meeting. The survey asked five questions: 1) How many opportunities are there for the public to provide input at your board meetings? 2) How many minutes is each individual allotted to speak at your board meetings? 3) What laws govern your input process (open

meeting laws)? 4) Is there a policy in place to deal with those who abuse the opportunity? 5) Has it been difficult to maintain a quorum due to the amount of public input?

Mr. Stephens reviewed the findings of the survey. A large percentage of the regional organizations provide one or more opportunities for the public to speak. MAG provides three opportunities at each monthly Management Committee and Regional Council meeting. Mr. Stephens noted that some agencies do not have a formal input opportunity. A request is submitted in advance and a decision is made by the Council. Mr. Stephens stated that in Atlanta, the public is directed to provide input at committee meetings. If a citizen wants to comment to their board, two-thirds of the board must vote to allow this. Mr. Stephens stated that approximately half of regional organizations maintain a three minute time limit. MAG is consistent with this. Mr. Stephens stated that all of the regional organizations said their public comment periods are primarily governed by state open meeting laws. MAG is consistent with this. Mr. Stephens stated that none of the regional organizations have a policy in place for those who abuse the opportunity. Mr. Stephens noted that MAG has a policy in place. He stated that none of the regional organizations indicated that they had difficulty maintaining a quorum due to the amount of public input. Mr. Stephens noted that MAG occasionally has difficulty maintaining a quorum because the public input can significantly lengthen meetings.

Mayor Feldman-Kerr asked the MAG policy on abusing the opportunity. Dennis Smith explained that individuals could lose their privilege to speak. This could apply to speaking not on the point or making personal attacks. Mr. Smith stated that the public comment cards contain speaking rules. When speakers sign the cards they acknowledge the rules. Mr. Pupo brought up the issue of name reflecting geographic area of a COG. Mayor Feldman-Kerr asked about input at the committee level. Mr. Smith explained that in 1996, the MAG Re-engineering process established public comment at the technical committee level, in order to streamline comment at Management Committee and Regional Council.

Mr. Cleveland stated that part of the problem is that some individuals feel that their comments are not reflected in the minutes. He stated that there is not enough time to really examine comments. Mr. Cleveland stated that the process is so condensed that the decision making process is not afforded the opportunity for feedback. There is no chance to consider what changes are needed to incorporate those comments, and no opportunity for staff to give feedback to next level. Data is collected, but not used to the extent that shows the public that it matters. Citizens feel as if they're being ignored, then the cycle is turned around again. Mr. Cleveland stated that comment belongs at Management Committee and technical levels to be used as input into the next planning process. Then report how their comments were incorporated to show that MAG did listen. Staff does a good job of linking it, but maybe citizens don't understand the link. MAG has people on soap boxes and haven't tried to take them off and make them part of process. Mr. Cleveland stated that this results in many of those people becoming detractors. If MAG doesn't bridge that, then these are the very people who will go to the Legislature and become naysayers who are listened to by legislators. Mr. Smith stated that MAG has made attempts to work with citizens and sometimes is not always successful. MAG has been aggressively trying to get people engaged early in the process.

Mayor Delgado stated that if the public process is opened up to public and MAG responds, an entirely new and increased scope of public input could be received. Mr. Bourey brought up the fact that some other regional organizations have never had a citizen come to a meeting. He stated that MAG solicits public input in many ways, but it is difficult to get people to come to meetings. Kelly Taft clarified

that more participation at the committee level is one of the reasons organizations do not have public comment at their board meetings.

Mr. Cleveland stated that the way MAG takes public input has gone a long way to gain credibility for the organization. He stated his support for continuing doing what MAG has been doing. Mr. Cleveland commented on the need to work on helping staff gain space between events. He indicated that staff does not have time to take input received at technical level, dissect it and provide it to the next level. Consequently, this means that the Management Committee and Regional Council do not have time to dissect what the input is before decisions are made. Such a compressed time line is impossible to do right. Mr. Cleveland noted that some decisions coming through the whole process may not need a decision made at the highest level.

- Mayor Thomas explained an incident when he went to address the State Legislature. He stated that they chose not to hear him, thus exempting themselves from the open meeting law. Mayor Feldman-Kerr stated that the public comment process needs to be examined from beginning to end during the examination of the MAG structure. If a couple of weeks could be added, that would help. Mr. Bourey commented that the problem is with the infrequency of MAG meetings and being able to meet the deadlines. Mayor Feldman-Kerr stated that public comment at Regional Council meetings might be unnecessary if public comment has been taken throughout the whole process.

Mr. Parr stated that a document was at each place that provided information on the San Diego process looking at regional governance driven by the California State Legislature. He explained that the document contained the recommendations of the Regional Government Efficiency Commission on regional government. Mr. Parr indicated that the issues are similar to the ones being discussed by MAG. He explained that the San Diego legislation would set up a new authority or responsibility for transportation and land use planning, which could be comprised of the Mayor of San Diego, one Supervisor, and 8 directly elected members. Mr. Parr stated that if passed, a new layer of government would be created.

Mr. Parr stated that the Roles and Responsibilities of MAG would be discussed at the next meeting on August 2, 2001.

5. Review of Possible TEA-21 Related Enhancements to the MAG Structure

This agenda item was tabled for a future meeting.

There being no further business, the meeting adjourned at 1:10 p.m.

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Chairman

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Secretary